

Component 4: Determine Current Compliance

A. Records Inventory

(Note: The records inventory is a review of existing records of landowners throughout the county who may already be in compliance based upon past and/or present program participation. This step is intended to take less than 90 days and would be conducted before the onset of systematic onsite evaluations. Onsite evaluations for these operations are optional, except for those where O & M periods may have expired.)

1. Compile records of existing State and/or Federal program participants who have previously signed contracts to install conservation practices to control soil erosion and nonpoint sources of pollution.

2. From records, evaluate which parcels are subject to which standards and prohibitions.

(Note: For the purposes of this document, the term "parcel" may be defined as a cropped field, an agricultural or livestock facility or a group of fields (e.g. tax parcel or FSA tract) and is defined by the county based on how they organize and manage geographic data.)

3. Based on above evaluations, determine which landowners are currently already meeting standards and prohibitions as a result of:
 - a) Having installed or implemented BMP's under an existing state or federal cost share agreement;
 - b) Maintaining compliance with Wisconsin Farmland Preservation Program and federal farm program conservation provisions; and/or
 - c) Maintaining compliance with state animal waste regulations (e.g. NR 243, WPDES, etc.)

Question 5: Will your County conduct a records inventory as described above?

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| 23 Yes | 5 No | 33 Unsure |
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| County | If Yes, do your best to estimate when (month & year) you would start the inventory, when (month & year) you would complete the inventory, and how much staff time (in hours) you believe such an inventory would take you? |
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| Adams | April 2003, unsure of completion date, will be able to contribute 200 hours with present staff. Would allow more staff time to this if more staff funding was available. |
| Burnett | Summer of 2003, no idea of how long-6 to 10 months? Probably 500 to 600 hrs |
| Chippewa | 8/03; 200 staff hours. This is a critical component to document existing compliance. We would limit this to circumstances where the County is actively monitoring earlier contracts through operation and maintenance plans. |
| Dane | Within our capabilities. Ongoing |
| Dodge | This was done by 1/1/03 – However, we are unsure of its usefulness because according to ATCP50 we have to re-evaluate cropland for compliance with "T" using RUSLE2; and we have to re-evaluate all barnyards with the new barnyard evaluation model currently under development. |
| Door | (Checked Yes, No, and Unsure; counted as "Yes" based on comments) Will begin in the next few months on a limited scale. |
| Green Lake | 6/2003- When we get it done. |

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| Juneau | Current inventory being done/ not sure of completion date or staff time. |
| Kewaunee | Start no later than January 2004. End no later than December 2004. These are tentative dates just to give some idea for this questionnaire. I would like to have the records inventory completed before we hand in our next revision of our LWRM Plan in August of 2004. |
| Monroe | start 1/04, complete 5/04 100 hours staff time |
| Outagamie | We cannot/will not provide month-year-hours-etc. as we have will not devote any time to this until we have a better idea of what might be expected from the State. The assignment of funds and staff to this on-going project will be a major "policy" decision by the LCC so any decisions will be held until we have more information. Budget and funding issues have yet to be settled so we are reluctant to provide any estimates. We do not think we would get much valuable information from a short record search inventory. LCD records seem to be the best we have and we only have those on specific applied practices so we cannot be sure if the rest of the lands meet standards. It is also very likely we will not be allowed to access Federal records....so much for working together. We also cannot tell if many practices are being maintained so such an inventory may not take much time but may not yield much for useable information. |
| Polk | (Checked both Yes and No; counted as "Yes" based on comment) We will begin the process with all of our existing contracts(county/state) that require review and continue with new contracts as signed, presently our AWO requires all operations of 300 annual units or greater to be in compliance, this is to be completed by 2005, continue FPP cross compliance, will not have staff time to expand to federal programs. Est. staff time for above 2 FTE |
| Trempealeau | The performance standards of "T" and no unlimited livestock access to streams shall be completed by 4-1-03. No direct runoff based upon records associated with priority watershed and NR 243 shall be complete by mid April. |
| Vernon | This is really a guess. We won't have an idea until we start the inventory, probably start next fall. We have two staff people, (if I can keep them on staff after the watersheds close) to work on this. We would devote probably one staff person half time. We still have a lot of cost sharing dollars and would like to continue to get practices on the land. My guess is it could take a couple of years (working one person half time) to certify our 400 Farmland Preservation Contracts, and all of our watershed contracts. |
| Walworth | Short of staff – will take longer than 90 days. Lots of unanswered questions; will develop over time. Start with Sug Honey (difficult to read handwriting) Watershed and Farmland Preservation. Implement immediately with the best technology. (1 st hard copy response) Short on help and need more time (2 nd hard copy) |
| Washburn | Winter months , not sure of duration...2 mo? |
| Washington | We have already completed this task. It was a fairly easy and straightforward process when you get down to it. There should be no excuses why a county cannot account for past work as it applies to new standards based on records they are required to keep. It took us 40 hours to complete a records inventory on 200 clients. For those counties with 1000 clients, they could be done in 90 days easily. We anticipate that completing the records inventory process (including data processing and issuing compliance status reports) will require another 20 hours. This means we will have spent a total of 60 hours on records inventory and reporting activities for 200 clients. We are willing to share how we did it with anyone interested |
| Waukesha | Start 1/04 – Complete 4/04. Estimated staff time to complete: 200 hours. Depends on the ability to review NRCS file systems. |
| Waupaca | Depends on DATCP and staffing funds. Our main Priority Watershed ends in 2008. If we are provided funds to maintain staff after that date, we will begin in 2009. If DATCP provides additional staff funding prior to 2008 we would begin the process. |
| Waushara | I estimate it will take 3-4 months to inventory existing records for compliance. It is virtually impossible to estimate, however, which ones are not in compliance – this would take substantially longer. |

B. On-site Evaluations

(Note: Onsite evaluations would occur after the countywide records inventory has been completed, beginning with targeted sites and/or in high-priority areas, as defined in the county's LWRM Plan. Also, it is not necessary to complete on-site evaluations of the entire before proceeding with the components that follow.)

1. Compile list of parcels for which on-site evaluations will be conducted, according to systematic methodology outlined in the county Land & Water Plan.
2. Contact owners of selected parcels and schedule site evaluations.
3. Conduct onsite evaluations:
 - a) Determine and document the extent of current compliance with each of the performance standards and prohibitions.
 - b) Where non-compliant, determine costs and eligibility for cost sharing.

Note: Cost share requirements are based upon whether or not the evaluated cropland or livestock facility is new or existing and whether or not corrective measures entail eligible costs. See NR 151.09(4)(b-c) and 151.095(5)(b-c).

Question 6: Will your County conduct systematic onsite evaluations?

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| 29 Yes | 4 No | 28 Unsure |
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| County | If Yes, please describe in general terms your systematic evaluation process and how you will prioritize this process? |
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| Adams | We will randomly choose 1% to 5% of the agricultural producers and conduct status reviews. We will also conduct on-site visits throughout the year when we see violations or have someone call in a violation. |
| Burnett | Probably will start with the animal operations (and crops) closest to water and work out from there. |
| Calumet | We have not made a decision on our process and priorities yet. We foresee that we will prioritize sites according to our existing Land & Water Resource Management Plan. The Plan places emphasis on addressing resource problems on sites near surface water and in areas susceptible to groundwater pollution. Limited staff resources will negatively affect the timeframe to complete the onsite inventories on a county-wide basis. |
| Chippewa | We are doing it now. Site evaluations are done as part of a voluntary certification program. Site evaluations are a required condition of receiving and State cost-share funds. A copy of the site evaluation form will be forwarded for your agency review. |
| Columbia | (Checked both Yes and Unsure; counted as "Yes" based on comments) Yes, but our process will depend on LWRM plan. |
| Dodge | Will be based on prioritization of small scale watershed areas where non-compliant sites are known to exist or are highly suspected of existing. Small watershed sites in headwater areas of impaired watersheds will be given highest priority. |
| Door | Current L&WRM Plan includes a geographic prioritization approach. It is anticipated that will revised the geographic areas somewhat, but will still do onsites based on geographic prioritization. |
| Green Lake | This will be prioritized by addressing the worst sites first or sites where we feel that the landowner is most cooperative to resolve his problem. |
| Juneau | 303d List and other factors. |
| Kewaunee | Prioritized by sub-watershed rankings (i.e. 303d, ERW, ORW, etc.). Starting with lands located in the upper watershed regions and working our way down stream. |

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| Manitowoc | Using a Coastal Management project to identify field sites, that will prioritize landowners and sites for compliance. |
| Oconto | Based on previous program experience and specific geographical areas or Watersheds. Also through the "County AG Waste Ordinance which cover all the "Prohibitions and Standards dealing with Installation or abandoned manure storage structures and etc. |
| Outagamie | We feel this is the only way to get accurate information. However we feel we may run into some problems on some sites with the hard cases and we have concerns how the county conducting such evaluations will affect our long-standing working relationships. Based on our priority watershed experience we feel a systematic onsite evaluations will take a lot of time but is the only accurate way to do it for us.. |
| Ozaukee | TBD- Perhaps target watersheds |
| Pepin | I plan to have a evaluation process but I do not have it designed at this time. It will be included in our new LWRM in 2004. |
| Polk | As related to the enforcement of AWO and identified critical sites within 300 feet of surface water. Also we will address sites identified from other plans example Lake Management Plans, NR 243, etc. |
| Portage | Will be determined during LWRMP revision process |
| Richland | We will probably start with our FPP participants and go from there. It will probably take a while to complete because of the small staff numbers and uncertain budgets. |
| Rock | Rock County is unsure of the methodology that will be followed. However, we have identified priority areas in the county and these areas will reviewed first. The final methods will be developed during the LWRM Plan update, which is scheduled for 2003-04. |
| Sauk | We will perform these investigations in priority areas and with available staff time. This will result in a slow beginning as most staff are obligated to other project implementation commitments. |
| Sheboygan | We have not yet determined our systematic evaluation process, but will perform on site evaluations in determining compliance. |
| Trempealeau | We shall contact landowners that participated in priority watersheds, farmers fund, etc. with contracts beyond the maintenance period and request permission to conduct on site evaluations to determine compliance with performance standards and prohibitions. We will offer onsite evaluations to growers associated with the Gold n' plump poultry industry and offer that industry service to seek TRM Grants to correct identified deficiencies. |
| Vernon | I would like to make it a stipulation to receive cost-sharing from the federal programs and our L&WRM funds. Anyone receiving funds would have to allow us to do a complete inventory and develop a schedule to come into compliance to receive financial cost-sharing. This would be a voluntary procedure. We also need to develop a non voluntary procedure. One idea is to base it on the visual (like an NR243). Excessive cropland erosion, over grazing of livestock next to a stream, etc. The other idea is to prioritize our watershed (subwatersheds) based on the streams. We've done this in the past for our Erosion Control Plan and a number of other plans. |
| Walworth | Don't know at this time; will take a grant to help demonstrate the process and develop one. (1 st survey) Need grant to operate with (2 nd survey) |
| Washburn | Based upon proximity to surface water...then by township. (Southern part of county has highest ag concentration) |
| Washington | <ol style="list-style-type: none"> 1) We will evaluate anyone who requests it voluntarily. 2) We require any landowner that participates in any of our programs to agree to an onsite evaluation of their operation. We are currently evaluating over 8000 acres, which is about all we can handle. 3) When 1 and 2 above do not consume all of our time, or if we know of existing problems not being addressed, we will knock on doors as we did with the Priority Watershed Program. We will begin in watersheds identified as priorities in our LWRM plan, and within these areas, we will begin with larger operations and those operators with potential animal waste issues. 4) If cooperation is not obtained, we will conduct inventories using tools (maps, files, etc.) at our disposal and estimate compliance based on best professional judgement. |

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| Waukesha | Yes, but not until adequate automation tools are available to track inventory and compliance work. Would likely use GIS queries to identify potential violations for "T" standard – and target landowner contacts. There are so few livestock operations in our county that a 100% inventory is likely. |
| Waupaca | Not determined at this time. |

| County | If No or Unsure, Please Describe Why. |
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| Ashland, Bayfield, Douglas, Iron | No idea how much workload this is? |
| Brown | Brown County will implement state standards that are consistent with existing County Ordinances: Animal Waste Management, Agriculture Shoreland Management, Floodplains and Shorelands ordinance provisions related to Buffer Strips. All other work needed to conform to state standards will be conditional upon receiving staff funding from State of Wisconsin unless it is located in an active Priority Watershed Project (with staffing and cost share provided by state) and is an eligible practice. |
| Buffalo | Buffalo County would like to tie the implementation of NR 151 with the work we are currently doing in the county. Buffalo County has a lot of single family farms, a lot of absentee landowners and 2 field staff, it would be a huge workload to try and complete this task in a short period of time the way that you describe above. Buffalo County has completed a lot of structural practice work in such a large part of the county through previous conservation programs and projects. The priority would be those areas of the county where we have no inventory or data available. |
| Clark | More funds needed. Would need additional staff. |
| Columbia | (Checked both Yes and Unsure; <i>counted as "Yes" based on comments</i>) Priorities will be determined including specific performance standard vs geographic area. |
| Dane | We hope to include a reference in our updated LWRM plan |
| Dunn | We can do compliance checks as part of our regular planning process but we do not have the staff to accelerate the process. You should also know that other than Farmland Preservation and the South Fork of the Hay River Priority Watershed project, all other planning has been done for FSA compliance and many of these plans contain alternative systems. |
| Eau Claire | Not until issues on components 1-3 are resolved will we commit to this. |
| Fond du Lac | Probably would not conduct the inventory in any given time frame. Would work at it as time and staff availability permitted. We support the concept but with 1400 + landowners, it will not happen any time soon. |
| Grant | Again, depends on staff availability. Statistically, with the present staff, we would be able to do an on-site visit once every seven years. Another concern is consistent assessment tools. <i>(e-file)</i> <i>Depends on staff availability or number of complaints (hard copy)</i> |
| Green | Please use the 2 DNR staff across the state that you promised for the LCD's for consistency sake. |
| Iowa | This will be staff-dependent and standardized assessment tools must be available |
| Jefferson | Dependant on available staff and new funding to complete these tasks. |
| Kenosha | Kenosha County has and will continue to work together with District NRCS staff in evaluating landowner compliance as outlined in our LWRM plan. Onsite evaluation of compliance to the new performance standards will be the responsibility of the implementing agency. |
| Lafayette | This also depends on staff and funding. |
| Langlade | Langlade did not check no, but comments indicate No/counted as a No Something the county can't do because of lack of funding and staff |

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| Marathon | We would start with manure management since we have the ordinance for enforcement. Staffing levels will be the biggest concern. |
| Marinette | We would have to prioritize small sections of the County for evaluation. If we had to evaluate the County as a whole, at our current staffing level, we would have to cease all installation activities for at least a year. We have made commitments to farmers to install practices and apply for grants. |
| Marquette | Current staff numbers would make it impossible. If we added staff, we would complete. |
| Monroe | We will probably do this, but unsure about staff commitment and LCC feelings towards this |
| Price | Same old reasons. (e-file) No Comments (hard copy) |
| Racine | Depends on requirements and time. |
| Rusk | It depends on the support we get from the LWCC and County Board and state and federal funding. |
| St. Croix | Since we did not commit to the systematic methodology in question #1, and this process may be forthcoming with discussion with our LWCC and Citizen advisory committee, it is very difficult to answer this question. |
| Taylor | No (at least not in the near future). For the same reasons as Question # 5. Also, we believe this step or component should be a joint effort between LCD's and DNR. |
| Vilas | To date, I am unclear as to exactly what this process entails to commit to doing it. In addition, whether our departmental staff has the time to do this task effectively at this point is an open ended question. |
| Waushara | Politically, I do not believe this may be acceptable with the County Board or LCC. Targeting specific landowners may not be acceptable. |
| Winnebago | Yes, but again, this will be based on the availability of staff resources, not to the detriment of working with landowners who are actively implementing soil and water conservation practices on the land. That is priority one. All else is secondary, including inventories and site evals. |
| Wood | Will probably do this. |

LaCrosse Co.: No submission. New county structure; uncertain how will proceed

Lincoln Co.: No submission, but sent letter. Does not want to commit without additional information about state commitment and funding.

Menomonee Co.: Does not see need for ag performance standards (300 ac. classified as ag use; 0% soil erosion rate.

Pierce Co.: No submission, but sent letter. LCC not able to commit to implementation activities but willing to discuss future role.